

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SCOTT NATHAN MAYER,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

GEORGE McVEY,

Respondent-Appellant.

UNPUBLISHED
September 29, 2005

No. 261470
Macomb Circuit Court
Family Division
LC No. 04-056864-NA

Before: Saad, P.J., and Jansen and Markey, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating his parental rights to the minor child under MCL 712A.19b(3)(g), (i), (j), and (l). This appeal is being decided without oral argument pursuant to MCR 7.214(E). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence of respondent's history of abuse and long-term neglect of the minor child's two older siblings and the minor child and testimony that respondent's parental rights to the minor child's two older siblings had previously been terminated supported the trial court's findings. Respondent had seen the minor child only eight to twelve times per year for most of the child's life and last saw him three months before the child was hospitalized after being seriously abused by his mother's boyfriend. Respondent's neglect of the child was one factor that led to his being abused. At the time of the termination trial, respondent had been living with his daughter's family and relying on her income for three years. He had not provided for the minor child financially because of his long-term unemployment.

Furthermore, the evidence did not show that termination of respondent's parental rights was clearly not in the minor child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Although respondent testified that he wanted to plan for the minor child and that the child would be treated as part of respondent's daughter's family, the record when viewed as a whole did not support a finding that termination of respondent's

parental rights was contrary to the minor child's best interests. Thus, the trial court did not err in terminating respondent's parental rights to the minor child.

We affirm.

/s/ Henry William Saad

/s/ Kathleen Jansen

/s/ Jane E. Markey